Prison, Persecution, and Resistance

The Case of Miguel Peralta

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Miguel Peralta, a community defender and anarchist, exited the Cuicatlán, Oaxaca prison more than six years ago. His original arrest happened on April 2015, and on October 2018 he was sentenced to 50 years in prison for two charges, one of homicide and another of attempted homicide.

After an intense legal battle and political pressure, he managed to appeal the sentence. A year later, on October 14, 2019, after almost a month-long hunger strike, Peralta was finally absolved of all the charges and released from prison. In all, he spend a little under 4 years and six months behind bars due to fabricated charges brought against him.

Miguel's arrest came following a sociopolitical conflict that erupted into violence on December 14, 2014 in the Eloxochitlán de Flores Magón municipality in Oaxaca when the Community Assembly was attacked by a violent armed group headed by the petty warlord Manuel Zepeda Cortés. In the conflict that followed, two people lost their life and many were left injured. This attack, although headed and orchestrated by Manuel Zepeda, was used as a pretext to persecute members of the Community Assembly. Thirty five community members were initially charged in the case number 10/2015, and other charges were brought against other members later. Many community members, Miguel Peralta among them, ended up spending time behind bars and, although they are all free now, the persecution against the community members continues on, for more than ten years now.

Miguel's father, Pedro Peralta, had previously been detained on August 10, 2012 when he was taking part in communal work in Eloxochitlán de Flores Magón, Oaxaca. When he was apprehended, he was beaten and tortured. Pedro Peralta spent nearly three years in the Cuicatlán, Oaxaca prison, even spending some weeks alongside his son behind bars before being released on July 30, 2015.

Behind the repression and criminalization in Eloxochitlán, there are direct ties between the local petty warlords and State power, including the weaponizing of the legal system against the community defenders. Local petty warlord, Manuel Zepeda, municipal president from 2011 and 2013, used municipal funds to enrich himself, and also extracted stone, sand, and gravel from the community river, materials that furnished his stores and which he in turn sold to carry out municipal projects. When community members raised their voice against his authoritarianism, the theft of community funds, and the ecological destruction of the community, he resorted to flagrant violence.

His daughter, Elisa Zepeda Lagunas, used the 2014 conflict as a political springboard, climbing up the hierarchy of public authority using the vocabulary of victimhood. She placed herself as municipal president in the 2017–2019 term before abandoning the position to run as local deputy for the MORENA political party. Since then, she's been a local deputy, president of the Oaxaca Congress during the LXIV Congress Session, Secretary of Women under the Salomón Jara government, and presently, serves a second term as a local deputy for the MORENA political party. Thanks to her political contacts and power, she has mobilized the repressive State apparatus against members of the community.

Indomitable Resistance

Miguel Peralta's criminalization, incarceration, and persecution is the aftermath of his struggle for the autonomy and land defense of his community, Eloxochitlán de Flores Magón. Miguel

has been an important voice in the condemnation against natural resource extraction and the petty warlord-ism of the Zepeda Lagunas family. He has also been an important voice in the struggle for the community's autonomy and self-determination against the power grab of petty warlords and political parties alike. The criminalization against him is a direct outcome of his resistance and, despite this, it has not managed to silence his voice.

As a prisoner, Miguel Peralta actively took part in the struggle against prisons, in solidarity with other imprisoned men and women and communities in resistance, and for the freedom of his Eloxochitlán de Flores Magón comrades. Between September and October in 2016, Miguel Peralta took part in intermittent fasts in solidarity with a hunger strike launched by anarchist prisoners in Mexico City condemning the prison conditions and the oppressive role of prisons on society.

In October 2018, after his first final hearing, Miguel Peralta went on a hunger strike demanding his complete freedom and declaring his body as a weapon of war against incarceration. in March 2019, Miguel Peralta went on a fast in solidarity with indigenous prisoners in Chiapas who had launched a hunger strike demanding their liberty after being false accused under torture. Later, in October 2019, the day of his second final hearing, he went on another hunger strike that lasted 26 days and ended in his release.

Beyond hunger strikes and fasts, Miguel Peralta actively participated in discussions and debates around indigenous autonomy, land defense, and against prisons and prison society, taking part in activities organized outside of prison via recordings and writings. He has released statements and analysis dealing with the anniversary of Ricardo Flores Magón's murder, October 2nd and the Tlatelolco Massacre of '68, June 11th and the Day of Solidarity with Marius Mason and All Long-Term Anarchist Prisoners, among other subjects. He also organized activities in jail together with other prisoners, in search of spaces of autonomy and self-organization within a facility that sought absolute control and submission.

Following his release in 2019, Miguel kept on condemning the warlord-Statist criminalization of his Eloxochitlán comrades still in prison. He kept demanding their liberty at events and public activities. He also stayed active in the struggle for freedom of other political prisoners, both in Mexico and abroad.

Legal Update

Presently, Miguel Peralta awaits another legal resolution from the Oaxaca Collegiate Tribunal, this time from out of prison, but being politically persecuted. On March 4, 2022, nearly two and a half years after being released from prison, an appeals court overturned his freedom and sentenced him once more to 50 years. An arrest warrant was issued against him. Since then, he has been run out of his community and fights for his liberty in the face of political persecution.

His case even reached the Nation's Supreme Court of Justice on January 2024, when it agreed to review the direct writ of amparo 6535/2023 filed by his legal defense. On November 6, 2024, the Supreme Court ruled against the Oaxaca Collegiate Tribunal, but it did not grant Miguel his complete freedom. Instead, the Court returned the case to the Tribunal, ordering to emit a new resolution, one that would acknowledged the sociopolitical context of the Mazatec community that Miguel forms a part of, its rights to free self-determination and autonomy.

The matter went back to the Oaxaca Collegiate Tribunal, which is to rule on writ of amparo 631/2022 soon. Earlier this year, Miguel and his legal defense were successful in getting the Tribunal to accept expert anthropological opinions on the context, an independent one and one charged with carrying it out by the federal judiciary itself. These new evidence present an opportunity for the magistrates to take the context into account and appraise the incriminating evidence, undermining their reliability. It is likely that the new sentence will be sent out in early February. The magistrates who will vote for (or against) Miguel's complete freedom are: Víctor Hugo Cortés Sibaja, Carlos Abel de los Santos Sánchez, and Jahaziel Reyes Loaeza.

The Tribunal has an opportunity to steer clear of the institutional racism that the judicial branch has exerted throughout the case for more than a decade; of such behavior from behind the desk, never looking into the realities the people live.

Interview

The following is a brief interview with Miguel Peralta Betanzos about life under political persecution, waiting for new legal ruling in what seems to be an unending labyrinth of trials, appeals, rulings, and new accusations and charges.

Hello Miguel, thank you so much for being here with us and sharing some words. Let's begin the interview. To start off, welcome, thank you for your time, how are you? How do you feel?

MP: Hello, how are you all doing? Thank you so much for doing this work, for the work you do. First off, I'm a bit stressed, I'm not as good as I thought I was or as good as I was a couple months back, but a little hopeful as I wait for the date of the hearing, patiently waiting, but with a constant feeling of pressure.

Yeah, we imagine that the matter of persecution brings about many consequences with regards to the state of mind. We want to interview you with that in mind, can you share what's it like to live being persecuted? In the last decade, your case has gone through many courts, tribunals, it even reached the Supreme Court, and it has had many rulings, unfortunately none have granted you your complete freedom. The uncertainty has been a constant. We want to ask you, how do you feel in waiting for a new ruling that may end in your freedom or imprisonment and, most of all, determine your entire future?

MP: I believe that "persecution" is a word we are not so used to hearing in the struggle because we are only used to physical prisons. But the guys know that they are being persecuted or gone underground; often, it is difficult to articulate each thing, each emotion, but I believe that is a matter of being without a clear identity. Being persecuted is being under a lot of pressure all the time. Being persecuted is not sleeping well. Being persecuted is also living with this uncertainty day in and day out of being arrested. After all, a lot of things can happen along the way.

Regarding the rulings or how out legal process has progressed throughout the decade. We, somehow, or at least I, have always distrusted the courts in Mexico, in Oaxaca, in Huautla. We prefer to wrench our freedom through resistance, in the struggle of out community in Eloxochitlán made up of *compañeros* and *compañeras* who resist day in and day out fighting in the city,

in the streets, in the community, always raising their voices, always placing their bodies on the line and backing up other struggles.

It has been very difficult to navigate, very physically taxing for everybody and we believe that this whole matter of justice to be a bit stale, same goes for the question of legal reform that were held the past year; we already know how politics moves, how the party in power has, in their own way, moved their chess pieces, placed and set them.

Eloxochitlán is no exception. We have enemies in power in Oaxaca. Deputy Elisa Zepeda is one of them, she has climbed much of the political ladder and we are aware the reality that awaits us. We are conscious that it may be a negative ruling but oh well.

I also believe that somehow, with the resistance of the community, we believe that truth is on our side. Reason is on our side. We believe town needs justice and it needs it now, because this is also a moment in which we have a bit of peace, of harmony in our community.

And so, with everything that's going in the world, with it falling apart, this is because of the exact same reason, but on a macro level, because of people who are mad with power, with money, who want to extract minerals in foreign lands. Yes, but ours is not a foreign land, it is a gorgeous, lovely land, and they are destroying it. And they will realize in the future that they threw it all to shit —even for their own children—, that they have no idea what they are doing to the river, to the community. That they have no communal consciousness. So of course, we fight.

I've walked this path, been on this trajectory, not to somehow rescue one way or another, but to defend. To keep on rebuilding all that is community. Because capitalism will also somehow, with new technologies, go on decapitating every form of autonomy, of self-management, of community consumption of its own goods, and introduce other things. I believe that it is all one system that is destroying us, that capitalism goes hand-in-hand with militarization, with the entire legal system, with the narco-State and, well, it is against all of this that we fight against, hoping to achieve the justice our community needs.

It has been a long path in search of that freedom. You have been persecuted since 2022 and spent time in prison before that. Can you elaborate about what you've been saying? You've been, over the years —when you were in prison before and also throughout this period of persecution—, you've been involved in the fight for your freedom, in the fight to free your people, your community, and against prisons. In the texts we've read, that you've written ever since your were being held, you showcase this, a clear anti-prison stance. We would like you to talk about what's it like to participate in political struggle in this chapter where you are still being persecuted.

MP: I don't believe it to be any easy to involve oneself in the struggle when you're being persecuted because you need to careful about so many things. Security, for example, at least with your homies, yeah, with those closest to you in order to protect them. But I believe that at the end of the day —anywhere in the world, anywhere in the universe— there will always be a prison, there will always be resistance; and inequality and repression, authoritarianism and capitalism will always be things we will fight against. And I think that's what happened to me. Yes, I've slowly been getting more involved, bit by bit, with other smaller, more closed off spaces, but I'm there. Obviously, I haven't been a leading figure, rather I've tried to contribute my grain of sand to the struggle. It's not easy at all because, well, you don't need to give your name, y'know? But sometimes it feels a bit strange to not being able to state everything.

And the anti-prison struggle —I believe something of utmost importance is international solidarity because we have many homies that are behind bars throughout the world and if we forget

them, well that's like further locking them away in the hole they're already in. I think we can't forget about them, that's why I join [the struggle] every time, not 100% as I would like to by being physically there as well —sometimes just there symbolically—, like with comrade Yorch. He was a person, a comrade I knew and whom I shared things in common. And in the end there was a lot of rage, a lot of fury, but also a lot of melancholy, a lot of sadness in not being able to even attend his funeral.

I think those are also things that shape us in the struggle, in resisting as comrades, that fraternizes us and even make us accomplices, trusting one another. Because I believe that something that also anchors us to the anti-prison struggle is trust. Because there have also been cases — because there always are— where there is an infiltrator. There will always some rat, sheep, or informant to point their finger at us. So we must also beware of that as comrades, as we are, because we know fighting against the jails is not at all common even though are many prisoners all over the world; and we must not limit ourselves to just political prisoners because a prison is a prison, and I believe that every prisoner to be alike. It is all the same thing we struggle against, and so we must build this trust to be able to resist. But under persecution, this is not easy, we can't trust anyone or anything, since you always runs a risk.

So, that's it, I am still involved in some way in the some struggles that keep every incarcerated anarchist comrade in the dungeons across the world in mind and, well, that's it, to keep the battle going every day, every night.

We can imagine that what you're telling us of the difficulties you have while being persecuted, being active and the restrictions it comes with to participating politically, also carry a risk. And another thing we believe in your case is that your being part of an indigenous Mazatec community where there are community ties and collectivity that are summarily important, as you mentioned just a moment ago. —We want to know, how has the persecution and displacement intervened in your being part of a community?

MP: Well, to begin with, it has taken from me a little bit of my community identity, of my collective identity because I've been alone in many places and have not been able to build that community which anchored me, which shaped me. Considering it, remembering very nice moments with my community: Day of the Death, for example, or the planting season. Many things that are done collectively and that shape you are part of a collective identity, of a communal entity as well that also, in tandem, shapes politics through the laboring, through the sharing, through the word, through mutual aid. The persecution has taken this from me.

I think it's a lot for me to be away from my community, and not being able to see the mountains saddens me, it gives me melancholy. But we believe in freedom and defend and fight for it every day, and this also gives us strength. There is a dream, there is a collective dream, there is a dream that we dream together with our comrades in the community, and we won't stop until we manage to wrest our freedom from them, in order to keep on rebuilding ourselves as a people, as *naxinanda*.

This is a very important part we wish to share with comrades who listen and read this interview. It seems important to us to talk about these topics, of when there are imprisoned comrades, there is a big movement around freedom, but that persecution also carries a lot of consequences which are not always readily visible, that sometimes go unnoticed. Here we would like to ask you specifically about these consequences that perhaps don't cross people's minds when we speak of persecution. You've mentioned a bit of these emotional concerns, right? What persecution has robbed you of regarding

building community in your town. We'd like to delve deeper into those less obvious consequences, perhaps physical consequences such as your health, or even other economic, social or familial consequences…

MP: I think there's a lot of physical and mental consequences. I'll speak for myself, regarding myself. Well, physically, I haven't been well, I've gone through things due to too much stress, I think. I've also had a lot of insomnia, tinnitus, migraines, and also a deep depression. We don't have the freedom to approach to one another, of having the professional help needed to counteract all these restrictions of being persecuted. And well, there's physical consequences as well. My eyesight, my eyesight is failing me somewhat. I can see the police at least, and smell them. My sense of smell is still impeccable. So I can smell cops from near and afar.

In order to survive, unfortunately, certain roles have to be reproduced, such as wage-labor since that we can't just rely on the homies. That's something, no? I think there's many ways to survive. I also make handicrafts and sell my handiwork, I also make salsas and sell them. And that's how I get by.

I also think that an important component —perhaps the most important— I've stressed is, well, solidarity. I think that someone who is being persecuted or who has gone underground, if they don't have a support base, a base where they may be able to outstretch their hand, give an embrace, encouragement, a dish, a book or whatever else, for as insignificant as it may be —you will find it in solidarity. Everything that is built by people, individuals, who many times don't even know you, but who are there, present. Like how we do it in the anti-prison struggle, exactly like that. Often times we don't know the comrades in prison, but we know their struggle, their history, and we feel a closeness. We feel love, we also feel rage because they are imprisoned, and so we fight. So, that's how we survive day after day, I believe. It is putting those concepts of mutual aid we sometimes only read about, putting them into practice at those instances. Mutual understanding is also something important, I think, it is something that is there, present.

You speak of solidarity as summarily important throughout the process and which is what often sustains you both emotionally as well as physically. To close off the interview, we would like to ask you two more questions. First, what message or words would you like to share with comrades and collectives that have been following your case and which have shown their solidarity in someway or another throughout the decade?

MP: First of all that I love you all, I feel you close by. I believe that we think about each other equally and that we have joined each other in some way; although I am not there present, I feel you, and I dream about you, I think about you day after day when my mind wanders and, suddenly, BAM! There's something, some light there which is you, you are all individuals, you are friends, you are collectives, you are communities as well, you are comrades across the world who are there lending your hands, in solidarity, present, doing something, protesting, writing something, drawing something, holding a concert, a raffle, a party, blocking off a road, who do things, who host a radio program. Many things that make me say, "WOW!" Things that surprise me. I'm astonished and, well, I don't know how to repay this great effort you all make in following this situation stemming from our people, from our community.

I believe we are now reaching the long-awaited time that is the Tribunal's ruling, waiting the final sentencing, and well, you all will find out too, and well, I send you a fraternal embrace. I would like to shake your hands, instead feel it across the distance, really feel it because it is very sincere, very affectionate, with great love and, well yeah, I hug you.

Thank you for sharing those words. Lastly, we would like to know who they can keep supporting you, showing their solidarity so that you, and your community, manage to, as you put it so well, wrest that complete freedom, that so-hoped for freedom.

MP: I think we need to keep on condemning the complicity of the State apparatus with the petty warlords. That growing marriage, of hubris and repression against the community. We need to keep drawing attention to this injustice our community lives under, sending out calls on the radio, in the media you have, and in ways you can of course, we can't tell you what to do, right? Because you are our comrades and each of you have your own lanes of struggle, but make it clear that our slogan is this: We struggle against the State apparatus of Oaxaca and the Mexican State, they are in collusion with petty warlords in our community who exploit the river. I think that is the main thing, to condemn the systematic repression our community has lived through, all the imprisonment we've experienced, all the harm done to our community, to the social fabric and, well, that's it. I think that you will your ways of doing so. You are all very intelligent, and you'll improvise to that end and have your own strategies.

Is there anything else you would like to add? Some words to close off the interview?

MP: Well, just want to thank everyone who's listening and to also send a brotherly salute to the comrades in prison, to wish the all best to the comrades who are on the run, much love and resistance.

Well, thank you so much Miguel for giving us this space to be able to share these words. We will be waiting for the next Tribunal ruling, we send you a warm hug. We hope it is also a way to break this persecution somewhat, to establish communication and dialogue with you and that you feel the love and solidarity from every comrade here who are and continue to follow your case.

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